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A LETTER TO Sir JOHN FIELDING, Knt.

OCCASIONED BY

His extraordinary Requeſt to Mr. GARRICK,

FOR THE

SUPPRESSION of the BEGGARS OPERA.

To which is added a POSTSCRIPT to

D. GARRICK, Eſq.

Dat veniam Corvis, vexat cenſura Columbas.

By WILLIAM AUGUSTUS MILES.

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M DCC LXXIII.

BRITISH MUSEUM

TO

Sir JOHN FIELDING.

SIR,

IT is no pleaſant taſk to enter the liſts againſt you, and, unleſs juſtified by neceſſity, neither prudent nor commendable —— I hold the office of a magiſtrate ſacred, while it is executed with fidelity, but the moment it becomes partial and oppreſſive,

A obedi-

obedience and reſpect ceaſe to be obligations; and it is the duty of thoſe whoſe morality does not entirely conſiſt in appearances, to detect and expoſe the impoſtor.

Juſtice and truth are the firſt of our moral duties, humanity and patriotiſm the firſt of our affections; no wonder then, Sir, if the diſcharge of theſe obligations render me leſs averſe to the fear of diſpleaſing you.

Your extraordinary requeſt to Mr. Garrick to ſuppreſs the repreſentation of the Beggars Opera has occaſioned this letter—It has alſo recalled to my memory ſome other circumſtances of your conduct as a magiſtrate, which I

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can neither reconcile to my ideas of juſtice, nor believe within the extent of your authority—Your pretence for ſuppreſſing a dramatic entertainment univerſally admired, *is the dangerous effect it is ſuppoſed to have on the morals of the people*, and which by a calculation to the full as ingenious as it is unaccountable, you poſitively aſſert, "*ſends every time it is acted,* "*one additional thief to the gallows.*" I have adopted your own words to avoid the cenſure of miſrepreſentation, and I hope, however ill-timed this addreſs may be, you will nevertheleſs conſider it as a proof of my impartiality.

The ſingularity of the requeſt, the character of the perſon who made it, and above all the abſolute injuſtice done to the Opera, convinced me of the neceſſity of taking it up, not ſo much for the ſatisfaction of refuting an unmerited calumny, as to enquire into the ſincerity and propriety of your conduct.

I am aware, Sir, of the authority of the magiſtrate over every thing that reſpects the morals and manners of the people, and I regard the man who makes them an object of his attention as a virtuous Citizen, but a diſtinction at the ſame time is to be made between the reality of this important virtue, and the affectation of it.

After

After having ſaid thus much, allow me to declare that conſidering the uniform practice of your life, the continued and uninterrupted ſcenes of profligacy and debauchery in your neighbourhood, and your being intrenched up to your very chin (if I may make uſe of the expreſſion) in all manner of vice, that the requeſt to Mr. Garrick was neither decent nor plauſible, and what no man the leaſt converſant with your character, can hear without a mixture of laughter and indignation. I will not attempt to unravel the myſtery of the calculation by which you have diſcovered that the repreſentation of the Beggars Opera ſends one additional rogue to Tyburn——It is ſuperior to every attempt

tempt of Mr. Molesworth, and when the credit of the magistrate is destroyed, or rather the profits should be found inadequate to the fatigue of office, I have no doubt but some adventuring lottery office keeper will take you into partnership. But to return to my argument: in what manner, Sir, do you suppose this unfortunate Opera acts upon the minds of Men? Do you imagine that to *expose* vice is the same as to *encourage* it: If the manners of the people are affected by dramatic entertainments, Mr. Garrick's judicious arrangement during a long and tedious season proves that he is not less ambitious to please than to improve. If Macheath makes one highwayman, Cato and Brutus may be

ſuppoſed at leaſt to make each a good citizen, and here we are amply recompenſed for the injury done us by Mr. Gay—The filthy dialogues of Peachum, Lockit, and the reſt of the Dramatis Perſonæ at the time that they expoſe obſcenity, reprehend it, and an audience (unleſs entirely compoſed of men ſimilar to thoſe who execute your orders) will not be converted to either profligacy or diſſipation by the thoughtleſs gaiety of Macheath, or tempted by the indulgence he receives to make an excurſion to Hounſlow — Almoſt every ſentence of that admirable Opera contains a moral, and in condemning the repreſentation of it you pay no extraordinary compliment to the character of Mr. Garrick

Garrick as a citizen, nor to the lord chamberlain who licenſed it. It is generally imagined, Sir, that a reformation in your neighbourhood would be the means of leſſening the number of public executions, and, in my opinion, you ought to have began with Bow Street, in preference to the theatres, which are not at all ſubject to your juriſdiction.

It was an impertinent officiouſneſs, proceeding from an overbearing and turbulent diſpoſition, that has diſtinguiſhed and diſgraced you through life —Your pretended regard for the morals of the people is nothing more than parade and oſtentation, and very diſtant from a benevolent concern for

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the intereſt of ſociety or the happineſs of individuals—In this opinion, ſevere as it is, I am warranted by the notorious debauchery of your neighbourhood—The ſeat of vice and immorality, where the youths of both ſexes are initiated into the rudiments of iniquity, and where it is dangerous for a modeſt woman to appear even at noon-day—It is here, Sir, that the inexperienced youth of our ſex receives, in the laſcivious embraces of diſtempered harlots, the firſt impreſſions of vice——They are introduced to your neighbourhood at a time of life when nature talks to them in a bolder and more perſuaſive language than reaſon, and the giving a full ſcope to the gratification of their paſſions, conſtitutes

the principal part of their felicity, while it unhappily lays the foundation of their future ruin—They are firſt dupes to themſelves, and afterwards to thoſe females who have an intereſt in deceiving them —— Women who are educated in all the various refinements of hypocriſy from their cradle, and may almoſt be ſaid to be hypocrites from nature, as well as education, know how to feign the paſſion of love, and generally ſucceed in their empire over thoſe who get entangled in their net.

That coquettry for which the ſex is remarked, is of infinite ſervice to them, and the fond fool who believes himſelf the ſole object of a woman's love,

love, ſpares no expence, and regards no danger to preſerve the continuance of it —— In this delirium, in this fever of luſt, he is tempted to violate his obligations to his parents or his maſter, and, deprived of the means of ſupport, has recourſe to expedients as fatal as they are diſgraceful. Thoſe who are not totally abandoned become penſioners to the women who debauched them, and are ſupported by the wages of proſtitution——Thoſe who are leſs timid, pick pockets, and commit petit larceny; their courage and their extravagance increaſe with their ſucceſs, and they venture on till it becomes neceſſary for government to offer a reward for apprehending them—When they have advanced thus far, and their

detection becomes expenſive to the ſtate, and profitable to the magiſtrate, juſtice immediately interferes, and they terminate their wretched career in the very ſpot from whence they ſet out—Such, Sir, is the melancholy effects of your neighbourhood; and let me aſk you with what decency you can complain of the immoral tendency of a dramatic entertainment, when it may be ſaid without exaggeration that eight out of ten who are executed at Tyburn, owe their ruin to the fatal and numerous examples of vice about Bow Street. I am not fond of arraigning the humanity or integrity of a magiſtrate, but when perſonal conſiderations or private intereſt is ſuffered to interrupt the fair and unpolluted ſtream of juſtice,

juſtice, I hold it criminal to remain ſilent——Your affected concern for the morals of the people is nearly allied to the pretended chaſtity of a proſtitute, and your very reaſon for ſuppreſſing the exhibition of a favorite Opera, are without exception, the moſt impudent inſult on the good ſenſe of the nation I ever heard of——A burleſque upon morality, and to be equalled only by the piety of Mother Cole in the Minor — The theatres are not ſubject to your cognizance, and literature would indeed be reduced to a miſerable ſituation if dramatic entertainments, after receiving the approbation of the Lord Chamberlain, were liable to your negative —— In whatever light then we view the requeſt of

you

you and your brother magiſtrates, it was impertinent, officious, and worthy of the ſevereſt reprehenſion. I ſhall now, Sir, proceed to enquire into your *impartiality*, and the propriety of erecting a tribunal in your own houſe—The office of a magiſtrate, at leaſt that part of it which I am ſpeaking about, is to take depoſitions, receive informations, and either commit or admit to bail as the nature of the offence directs—When this is not complied with, the magiſtrate is guilty of a breach of truſt, and his office becomes degraded into that of a petty-fogger—Theſe reflections have often occurred to me, and I own, Sir, I am aſtoniſhed that no perſon has thought it of ſufficient importance to complain of the

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ſhameful practice of printers being employed to publiſh the evidence and defence made by thoſe miſerable objects who are unfortunately introduced to your houſe——Their buſineſs is not unlike that of the Secretary to one of the inquiſitions in Spain, and thoſe who have heard your improper queſtions and authoritative manner of aſking them, have very juſtly compared you to an inquiſitor general, inſtead of a Britiſh magiſtrate——Upon what principle of law or juſtice do you preſume to interrogate? I am ſure the mild laws of this country, which ſuppoſe every man innocent till he is convicted by the unanimous determination of his peers, furniſh you with no ſuch power, and ſtill leſs juſtifiable are you

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in demanding of the unhappy priſon-
ers what they have to urge in their
defence—Their defence is due only
to a court of juſtice, and I think ar-
rogant as you are in the execution of
your office, you will hardly dare to call
your houſe one—— View the needy
wretch whoſe neceſſities perhaps ſug-
geſted to him the fatal expedient of
repairing the partiality of fortune by
invading the property of his fellow citi-
zens, and who, in the moment of diſ-
treſs, forgetfull of the laws of ſociety
by which he has been benefited, looks
only to the laws of nature, and raſhly
concludes that ſhe never intended any
of thoſe diſtinctions which politics
have introduced—View him, Sir, in all
that perturbation of mind common to
diſtreſs,

diſtreſs, and anſwer me, how you can extort from him a confeſſion that finally deſtroys every hope of juſtice and mercy on this ſide the grave, conſiſtent with that benevolence which you have repeatedly laid claim to—In what manner will you juſtify the practice of entertaining a motley audience compoſed of intereſted individuals, your relations and ſervants, every Wedneſday, at the expence of a ſet of miſerable objects, whoſe wretchedneſs becomes the ſport of your unfeeling auditors and an abandoned rabble?

After commitment, you have no kind of buſineſs with them; they are not to ſuffer the torture of repeated examinations, but ſtand over to the

next ſeſſions for acquittal or conviction —It is your endeavour always to prevent the former, and ſecure the latter; for this purpoſe a formal judicial enquiry is made every Wedneſday—The printer of a morning paper is accommodated with a deſk, and pen, ink and paper, and you, Sir, direct him—The unhappy priſoners are placed at the bar, and the heinouſneſs of their crimes are expatiated upon, not ſo much to convince and reform them, as to diſcover your oratorical powers, and obtain applauſe from your auditors—— Here, Sir, you exert with your voice your authority beyond its proper pitch, and learn from the poor wretches what defence they can make, that you may the more effectually prevent their eſcaping

ing puniſhment. The printer, not to be deficient in his part, gives the public an account of the whole examination, and with a degree of inſolence and cruelty ſcarce credible, adds his obſervations to a partial examination; is this, Sir, the conduct of an upright magiſtrate? Is this conſiſtent with the humanity of our laws, or that philanthropy which ought to prevail among the ſons of men, to harraſs a fellow creature, and ſhut up every avenue to mercy and compaſſion? Is this your boaſted police, for which you drew upon the treaſury, till even the prodigality of the duke of Grafton was alarmed?--Is it fair, is it equitable to influence a jury with partial and unjuſt publications? Is it not ſufficient

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that every purpoſe of your extenſive avarice and vanity is anſwered, but you muſt give the laws a degree of ſeverity unknown to them? I will not enquire what the proprietors of the Morning Chronicle allow you for your pompous examinations. It may poſſibly promote the ſale of their paper, and in this intereſted age, it may, perhaps, be thought excuſable even in magiſtracy itſelf to take a bribe. Two other morning papers pay you FIFTY guineas *per ann.* each for thoſe puffs and advertiſements which they inſert from the police, and by this means the freedom of the preſs is in a manner deſtroyed. The practice, however, is ſhameful, and not leſs ſo in the printers than the magiſtrate. How

you

you can juſtify this conduct, I know not; but it certainly behoved you, before you cenſured the repreſentation of the Beggars Opera, to be careful that nothing on your part was wanting to reform the morals of the age.

The numerous pickpockets that infeſt the doors of the playhouſes, the ſtreet-walkers, link-boys, and other vagabonds, whoſe obſcenity and riotous behaviour render them the terror of ſober people, will afford ſufficient employment for you without extending your care to the inſide of the theatres. If you are really ambitious of correcting the morals of the people, and willing to preſerve a number of your fellow-creatures from

from an ignominious death, ſuppreſs thoſe brothels with which your neighbourhood is crowded and diſgraced. Admoniſh your clerks, and the ſubordinate officers of juſtice, not to imitate the venality of their ſuperiors, but to do their duty rigidly to all, and accept of no money whatever. This advice would not be unſeaſonable to your high conſtable. Grant no licences to thoſe publicans who encourage gaming and whores. Suppreſs thoſe nocturnal aſſemblies, where the profligate of both ſexes meet for the purpoſe of practiſing their infernal arts upon the young and credulous. Deſtroy that pageantry and parade of juſtice, which by the ſenſible and diſcerning part of mankind

mankind is conſidered only as a mockery, and by no means ſuffer a ſelf-ſufficient printer to comment on the ſolemn examinations taken by you and your brother magiſtrates. Set about in good earneſt the reformation of your own neighbourhood, and let the ſtreets round Covent-garden be at leaſt free from ſcenes of riot and debauchery. By theſe means bad example will be leſs frequent, and you will at leaſt ſhew a diſpoſition for amendment. At preſent your concern for morality is only laughed at and deſpiſed, and your pretended averſion to the Beggars Opera regarded either as the effects of mere ignorance, or a wiſh to enlarge your conſequence by extending your influence over the theatres.

Recal

Recal then your extraordinary and ridiculous requeſt.——Be aſſured that to *expoſe* vice and to *encourage* it are two different things, and that the morals of the people have more to apprehend from the example of your neighbourhood than from the continual repreſentation of the Beggars Opera. Be content then with the influence and authority you have already obtained, and leave the arrangement of our dramatic entertainments to the management of thoſe who have hitherto conducted them with advantage to themſelves and ſatisfaction to the public. Before you correct the faults of others repair your own, and be vigilant without being officious.

A

POSTSCRIPT

TO

MR. GARRICK.

TO

MR. GARRICK.

SIR,

IF Mr. Gay had been alive I ſhould have left him to vindicate the merit of his admirable Opera from the aſperſions of Sir John Fielding.

It is however the duty of the *living* to defend the reputation of the *dead*, and this is a ſufficient reaſon why I ſhould not remain ſilent.

The fatal effects unjuſtly attributed to the repreſentation of the Beggars

Opera imply ignorance, malevolence, or arrogance. The firſt I can by no means ſuſpect in Sir John Fielding, and it has been my buſineſs to enquire what ſhare the *ſecond* and *third* have had in the ſevere and undeſerved cenſure on a favourite dramatic entertainment.

This enquiry is of importance to ſociety, ſince it ſcrutinizes into the ſincerity of the magiſtrate, and makes a diſtinction between patriotiſm and the affectation of it.

I lament, Sir, that it is not in my power to do juſtice to it. I may however awaken the attention of thoſe, who, forgetful perhaps that the firſt duty of the civil magiſtrate is the prevention

vention of crimes, have judged of Sir John Fielding's integrity by the number of unhappy wretches he has forwarded to Tyburn, and have added to an uncommon ſhare of penetration and unwearied diligence, the poſſeſſion of every moral and political virtue.—I own, Sir, that my ſentiments of the magiſtrate to whom the foregoing letter is addreſſed, are not ſo favorable, but they are more juſt, and it is on this account that I write ſo freely. It is of conſequence to the ſtate that the magiſtracy is executed with fidelity and preciſion, free from oſtentation and every appearance of partiality.--When it ceaſes to do either it becomes diſgraceful and oppreſſive, and the meaneſt citizen is juſtified in expoſing the abuſe.—It is

from

from this conviction, Sir, that I hold it neceſſary to examine the conduct of the magiſtrate.

It is from the ſame conviction, that I have arraigned the ſincerity and propriety of Sir John Fielding's application for the ſuppreſſion of the Beggars Opera, and whatever cenſure may be paſſed on one, however inelegant my ſtile may be thought, I ſhall reſt fully ſatisfied with having vindicated from an unjuſt calumny the production of an author whoſe memory and whoſe merit I reſpect.

I own I have been more ſolicitous to ſpeak the truth than to pleaſe, and in excuſe for incorrectneſs I urge, however poor the apology,

logy, that it was the haſty performance of little better than a couple of hours, and that my indiſpoſition prevented me beſtowing that attention on it which I wiſhed to do.—Neither ſickneſs nor my averſion to controverſy however could deter me from diſcharging my duty.—I conſidered the officious application of Sir John Fielding as a ſcandalous reflection at once on the good ſenſe of the nation, and on the virtue of Mr. Gay, whoſe purity of manners, joined to an uncommon goodneſs of heart, ought at leaſt to have preſerved him from the imputation of endeavouring to corrupt the morals of his fellow-citizens.—I wiſh Sir John would be more attentive to the ſuppreſſion

of

of *real* evils, and leſs anxious for the diſcovery of *imaginary* ones.—The ſcenes of wickedneſs that are continually exhibited in his neighbourhood have long been the ſubject of melancholy contemplation; but unhappily Sir, what, is every body's buſineſs is nobody's buſineſs, and hence it is, that no one has had the virtuous reſolution to accuſe the magiſtrates of Bow-ſtreet with negligence.—While vice and every ſpecies of profligacy and immorality are ſuffered to appear publickly at noonday, while debauchery and obſcenity are allowed to inſult the young and modeſt ear with impunity, even in the ſight of magiſtracy itſelf, can it be ſuppoſed that the apprehenſions of

danger

danger from the repreſentation of a dramatic entertainment are ſerious? —The moral of the Beggars Opera has been univerſally admired, and it is ſomewhat extraordinary that Sir John Fielding ſhould have continued ſo long unacquainted with its effects. I will paſs over the illiberal reflections which his application conveys upon your character.—Your conduct through life is a ſufficient contradiction to it, and it can hardly be ſuppoſed that a man who has always diſcharged the duties of a good citizen, would countenance any thing that might tend in the leaſt to corrupt the morals of the people.—Sir John Fielding's application to you is in my opinion a ſeverer ſatyr upon him than

any thing it is poſſible for me to write.

If Mr. Gay had made a tragedy of his much-admired Opera, and Macheath had been executed, I have no doubt but Sir John would have expreſſed his entire approbation of it. The cataſtrophe would have correſponded with his ſanguinary diſpoſition, and the magiſtrate might have conſidered it as a juſtification of his practice.——Unluckily the poet more humane concluded, that the well-timed interpoſition of mercy might be the means of reclaiming a thoughtleſs young man, whoſe vices were more the effect of faſhion and example than depravity, and that of

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courſe it would have a better effect on the morals of mankind than a rigorous puniſhment.—In this inſtance he argued like a philoſopher and condemned the puniſhment of death as no leſs cruel than ineffectual.—Perhaps he thought it unjuſt as well as ſevere, and when our numerous executions are ſeriouſly conſidered, this opinion will probably appear to be founded in truth.

Notwithſtanding the number of unhappy wretches that are every ſeſſions hurried into eternity, robbers multiply, and theſe tragedies no ways ſerviceable to the ſtate, tend only to familiarize us to cruelty and injuſtice.——Public executions, which

ought to excite ſentiments of ſorrow and compaſſion, while their example deters, have a very different effect upon the minds of the people.——They conſider them as holidays, and croud to Tyburn as eagerly to ſee thoſe human ſacrifices as if they were going to Greenwich upon an Eaſter Monday.——One would almoſt be led to conclude from hence that theſe unfeeling ſpectators were every one of them a F——

The hope of a reſpite which Macheath entertains, and which happens at laſt, is not peculiar to him alone, but common to all men in his ſuppoſed unhappy ſituation.—It proceeds from

from a natural deſire of life, and from that averſion which every animal in the creation has to death.—The vulgar ſaying of "*While there is life there is hope*," is of greaer antiquity than the Beggars Opera.

That heroiſm therefore of Macheath is not contagious, and the advice of his companions to *die brave* does not proceed from a contempt of the laws they have violated, but meant merely as a conſolation, which in their poor capacities they think will give him ſpirits to bear the terrors and melancholy apprehenſions of death with fortitude. It is their method of philoſophizing—they have no abſtract ideas, and I ſuppoſe never

ver argued whether death in itſelf is good or evil; but perhaps the expoſing the venality of the officers of juſtice, the villainy of Peachum and Lockit, together with the ſong of "*Since gold from law can take out the ſting,*" have given offence to the *active* magiſtrate, and ſome *intelligent* friend has informed him it is a ſatyr upon his conduct.——Whether this was really the occaſion of his application to you I will not determine. It is however very improbable that he was influenced by a benevolent concern for the morals of the people. Since the examples of lewdneſs and profaneneſs with which

his

his neighbourhood abounds, are more prejudicial to virtue than even the groſs ſcenes of Wycherly or Congreve.—If he was ſerious in his requeſt he ought certainly to have began a reformation nearer home.—It is much wanted, and the negligence of it is attributed to motives as diſhonorable to the magiſtrate as they are injurious to the intereſts of ſociety; but with what juſtice I ſhall leave to poſterity to determine.—We live in an age when truth only is perſecuted, and from the temper of the times, I have no doubt but even Jonathan Wild, if he was living, would proſecute for ſcandalum magnatum, the printer who would dare

to

to publish his notorious villanies to the world. I am,

SIR,

Your very sincere friend,

and humble servant.

Sept. 18, 1773. W. A. MILES.

BRITISH MUSEUM